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FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

JUL 20 2011

JAMES R. LARSEN, CLERK  
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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CHARLES WESLEY WRIGHT,  
and  
JON RICHARD VIVIAN,

Defendants.

**CR-11-113-WFN**

INDICTMENT

Vio: 21 U.S.C. §§ 841(a)(1), 860  
Distribution of Marijuana  
Near a School  
(Count 1)

21 U.S.C. §§ 841(a)(1), 860  
Possession with Intent to  
Distribute Marijuana  
Near a School  
(Count 2)

21 U.S.C. §§ 841(a)(1), 860  
Manufacture of Marijuana  
Near a School  
(Count 3)

21 U.S.C. §§ 856(a)(1), 860  
Maintaining Drug-Involved  
Premise Near a School  
(Count 4)

21 U.S.C. § 853  
Forfeiture Allegation

The Grand Jury Charges:

COUNT ONE

On or about April 19, 2011, in the Eastern District of Washington, the  
defendants, CHARLES WESLEY WRIGHT and JON RICHARD VIVIAN,  
knowingly and intentionally distributed a mixture and substance containing a  
detectable amount of Marijuana, a Schedule I controlled substance, in violation of  
21 U.S.C. § 841(a)(1), within 1,000 feet of the real property comprising Grant

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1 Elementary School, a public elementary school; all in violation of 21U.S.C. §§  
2 841(a)(1) and 860, and 18 U.S.C. § 2.

3 COUNT TWO

4 On or about April 28, 2011, in the Eastern District of Washington, the  
5 defendants, CHARLES WESLEY WRIGHT and JON RICHARD VIVIAN,  
6 knowingly and intentionally possessed with intent to distribute a mixture and  
7 substance containing a detectable amount of Marijuana, a Schedule I controlled  
8 substance, in violation of 21 U.S.C. § 841(a)(1), within 1,000 feet of the real  
9 property comprising Grant Elementary School, a public elementary school; all in  
10 violation of 21U.S.C. §§ 841(a)(1) and 860, and 18 U.S.C. § 2.

11 COUNT THREE

12 Beginning on a date unknown, but at least by on or about April 28, 2011, in  
13 the Eastern District of Washington, the defendants, CHARLES WESLEY  
14 WRIGHT and JON RICHARD VIVIAN, knowingly and intentionally  
15 manufactured approximately thirty-six Marijuana plants, a Schedule I controlled  
16 substance, in violation of 21 U.S.C. § 841(a)(1), within 1,000 feet of the real  
17 property comprising Grant Elementary School, a public elementary school; all in  
18 violation of 21U.S.C. §§ 841(a)(1) and 860, and 18 U.S.C. § 2.

19 COUNT FOUR

20 Beginning on a date unknown, but by on or about at least April 18, 2011,  
21 and continuing until at least April 28, 2011, in the Eastern District of Washington,  
22 the defendants, CHARLES WESLEY WRIGHT and JON RICHARD VIVIAN,  
23 knowingly and intentionally maintained a place at 1108 S. Perry, Spokane,  
24 Washington, for the purpose of manufacturing, distributing, and using Marijuana,  
25 a Schedule I controlled substance, in violation of in violation of 21 U.S.C. §  
26 856(a)(1), within 1,000 feet of the real property comprising Grant Elementary  
27 School, a public school, all in violation of 21U.S.C. §§ 856(a)(1) and 860, and 18  
28 U.S.C. § 2.

FORFEITURE ALLEGATION

The allegations contained in Counts 1-4 of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeiture pursuant to 21 U.S.C. § 853. Pursuant to 21 U.S.C. § 853, upon conviction of an offense in violation of 21 U.S.C. §§ 841, 856, the defendants, CHARLES WESLEY WRIGHT and JON RICHARD VIVIAN, shall forfeit to the United States any property constituting, or derived from, any proceeds obtained, directly or indirectly, as the result of such offense, and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, the offense.

DATED this 19<sup>th</sup> day of July, 2011.

A TRUE BILL

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